# Construction Code Communicator



State of New Jersey
Jon S. Corzine, Governor

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Department of Community Affairs
Susan Bass Levin, Commissioner

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### Highlights of the 2005 New Jersey Construction Reporter

- Construction activity was at a record level in 2005, due mainly to new home construction.
- The estimated cost of work authorized by building permits was \$15.4 billion. Residential construction (new and rehabilitation) was \$8.2 billion, 53.1 percent of all activity. New home construction totaled \$5.6 billion.
- √ The amount of work was \$1.1 billion more than last year's record level, an increase of 7.9 percent. In real terms, based on an inflation rate of 3.4 percent, construction activity grew by more than 4 percent between 2004 and 2005.

(continued on page 2)

## Barrier Free-COAH Law: Accessible Townhouses in New Jersey

P.L. 2005, c. 350 amended the Uniform Construction Code (UCC) statute to require that townhouses for which municipal credit is sought under the Council on Affordable

Housing's (COAH's) fair-share requirements be adaptable. The components of an adaptable townhouse for which COAH credit is sought are spelled out in the statute. The townhouse must have:

- An adaptable entrance, with the plans for the adaptation to provide an accessible entrance. It is important to note that, for the purposes of fulfilling this requirement, the use of an exterior ramp, a platform lift, or a limited-use/limited-application elevator is acceptable;
- 2. An adaptable toilet and bathing facility on the first floor;
- 3. An adaptable kitchen on the first floor;
- An accessible interior route of travel through the entry level of the dwelling unit (it is important to note that an interior accessible route to other stories of the dwelling unit is not required); and
- An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor.

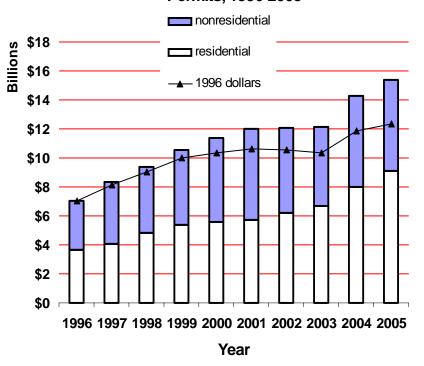
#### WHY THIS LAW WAS NEEDED:

There are approximately 1.8 million people with disabilities who live in New Jersey. Of that number, (continued on page 8)

#### In This Issue Barrier Free-COAH Law: Accessible Townhouses in New Jersey 👢 🥌 . . . 1 Index to the 2005 Construction Code Communicator (Volume 17) . . . . . 13 CELEBRATION -- 25 YEARS, New Jersey Building Safety Conference . . 18 Installing Fire Sprinklers Throughout Is Not Always *Throughout* 🐞 . . . . 11 "Coming Attractions" -- Code Adoptions Planned for this Year . . . . . . . . 5 Correction: Accessible Parking Signs & ......6 Private Residence Elevators ......15 Energy -- Wood vs. Metal Construction (ASHRAE Standard 90.1-1999) Prohibited: Urea-Formaldehyde Foam Insulation American Insulation Fire Department Connections for Standpipes and Fire Sprinklers --How Many? 6 ......9 Residential Basement Insulation Fire Sprinkler Hydrostatic Testing: Is the Test Always Required? 📸 . . . 11 "Walk-Out" Basements and High-Efficiency Heating Equipment ... 17 Group Homes Are Not Therapeutic Residences ......12 Warning: Automatic Fire Sprinklers Bearing Counterfeit UL Mark ... 17

(continued from page 1)

## Estimated Cost of Construction Authorized by Building Permits, 1996-2005



- √ The number of new houses authorized for construction was 39,688,434 more units than in 2004, an increase of 1.1 percent.
- Office construction declined by 1.2-million square feet, almost 10 percent less than in 2004. Retail space was up by 1-million square feet, a 21.5-percent increase.
- Jersey City in Hudson County and the City of Newark in Essex County had the most construction and the most new houses in 2005. Jersey City led all communities with \$707.5 million of construction and 3,776 authorized housing units. Newark ranked second in both categories with \$344.6 million of work and 2,611 authorized dwellings. Over 73 percent of the construction activity in Jersey City was for new houses. New homes accounted for 45.6 percent of the work authorized by permits in Newark. Just over 16 percent of all the new houses authorized for construction in 2005 were in Jersey City and Newark.
- √ Northern New Jersey had \$6.5 billion of construction, 42.3 percent of all activity in the State. Jersey City, Newark, and other northern communities accounted for 15,982 authorized houses, over 40 percent of the total for the State.
- ✓ Central New Jersey had \$5.1 billion of construction 33.1 percent of all construction and 12,734 authorized housing units, 32.1 percent of all new houses.
- √ Southern New Jersey had \$3.2 billion of commercial and residential construction, and 10,972 authorized housing units, accounting for 21 percent of all the construction activity in the State and 27.6 percent of all authorized housing.
- √ Although new homes were the driving force behind the construction industry's strong performance, accounting for \$5.6 billion of activity, the estimated cost of new construction for commercial and other nonresidential structures increased at

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New Jersey Construction Indicators					
	Estimated Construction Costs	Authorized Housing Units	Authorized Office Space (square feet)	Authorized Retail Space (square feet)	
1996	\$7,028,424,990	27,577	6,229,515	4,880,139	
1997	\$8,346,533,144	30,017	10,409,171	5,688,955	
1998	\$9,396,755,517	35,676	12,703,824	7,921,892	
1999	\$10,584,167,530	37,536	13,237,891	6,229,471	
2000	\$11,387,683,514	38,065	15,531,039	6,063,412	
2001	\$12,007,456,630	35,680	19,134,533	7,244,833	
2002	\$12,079,942,099	34,589	9,261,054	6,560,913	
2003	\$12,148,747,807	35,171	9,744,146	6,038,428	
2004	\$14,274,331,850	39,254	12,219,068	4,911,257	
2005	\$15,397,507,147	39,688	11,038,132	5,965,258	
Change Between 2004 and 2005					
2004-2005	\$1,123,175,297	434	-1,180,936	1,054,001	
Percent Change	7.9%	1.1%	-9.7%	21.5%	
Source: N.J. Department of Community Affairs, 5/8/06					

a faster rate. New home construction grew by \$809.3 million, 16.8 percent, while new nonresidential structures increased by \$834.1 million, 31.4 percent more than last year.

- √ New home construction made up just over one-third of all authorized work. New commercial buildings and other new nonresidential structures accounted for less than one-quarter of all activity (24.2 percent or \$3.5 billion). Tenant fit-ups for commercial buildings and other nonresidential additions and alterations accounted for another \$3.7 billion, 24.2 percent of all authorized work. Rehab work on existing houses made up \$2.5 billion, 16.5 percent of construction activity in 2005.
- √ Housing rehab was the only component of the construction industry that declined in 2005. In 2004, the estimated cost of additions and alterations to existing dwellings was \$3.1 billion. In 2005, it was \$2.5 billion, a decline of 19.2 percent.
- ✓ One of the bigger commercial projects to break ground in 2005 was the Borgata Hotel Casino & Spa north expansion in Atlantic City, Atlantic County. About half of the \$310 million of construction reported by Atlantic City was for the new Borgata addition. Atlantic City ranked third behind Jersey City and Newark with the most activity in 2005.
- Two other communities with strong activity in 2005 were Bernards Township and Warren Township, both in Somerset County. Over \$52 million of the work reported in Bernards was to refurbish a complex of existing buildings for an office campus for Verizon Communications. In Warren Township, over \$41 million was authorized for a new special education center.
- √ "State buildings" refers to a category of buildings built on behalf of State government agencies or their instrumentalities, like New Jersey Transit or the New Jersey Sports & Exposition Authority. This category of construction accounted for

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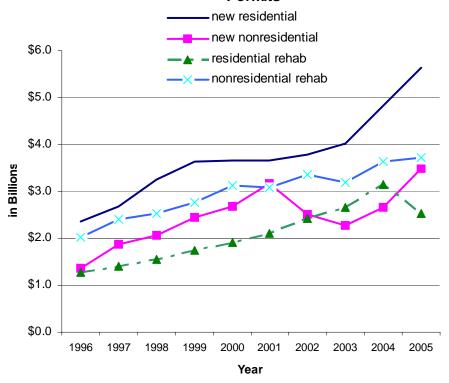
Major Construction Indicators by Region					
Region	Estimated Cost of Construction	Authorized Housing Units	Authorized Office Space (square feet)	Authorized Retail Space (square feet)	
North	\$6,508,235,134	15,982	4,474,379	2,345,236	
Central	5,100,559,035	12,734	4,079,046	1,965,117	
South	3,234,476,044	10,972	2,133,440	1,565,370	
State Buildings	554,236,934	0	351,267	89,535	
New Jersey	\$15,397,507,147	39,688	11,038,132	5,875,723	
Percent Distribution by Region					
North	42.3%	40.3%	40.5%	39.3%	
Central	33.1%	32.1%	37.0%	32.9%	
South	21.0%	27.6%	19.3%	26.2%	
State Buildings	3.6%	0.0%	3.2%	1.5%	
New Jersey	100.0%	100.0%	100.0%	100.0%	
Source: N.J. Department of Community Affairs, 5/8/06					
Northern New Jersey: Bergen, Essex, Hudson, Morris, Passaic, Sussex, Union, and Warren Counties					
Central New Jersey: Hunterdon, Mercer, Middlesex, Monmouth, Ocean, and Somerset Counties					
Southern New Jersey: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties					

\$554.2 million. Among the bigger projects reported were four new construction permits for the Meadowlands Xanadu retail and entertainment complex. The estimated cost of work reported on these permits was \$160 million.

- √ Building permits also showed major expansions on New Jersey State college and university campuses. Over \$180 million of activity was reported for work at Rutgers University (New Brunswick), New Jersey City University (Jersey City), Rowan University (Glassboro), William Paterson University (Wayne), the University of Medicine & Dentistry of New Jersey (Newark), Ramapo College (Mahwah), and Stockton State College (Galloway Township).
- √ It cost more to buy a new home in New Jersey. The median sale price of the 24,571 new houses that began enrollment in a new home warranty program in 2005 was \$378,992. This was 8.3 percent more than 2004.
- Hunterdon County had the most expensive new houses. Half of the 349 houses that began enrollment in a new home warranty program in 2005 cost more than \$644,002. Cumberland County had the least expensive new houses. The median sales price was \$232,000.

Information in this report is from the 2005 Annual issue of The New Jersey Construction Reporter, a publication of the New Jersey Department of Community Affairs that examines construction statistics derived from building permits and certificates issued throughout the State. The Reporter can be viewed online at <a href="http://www.nj.gov/dca/codes/cr/conrep.shtml">http://www.nj.gov/dca/codes/cr/conrep.shtml</a>. If you have any questions about the information in this report, contact John Lago at (609) 984-7609.

### Estimated Cost of Construction Authorized by Building Permits



(continued on page 6)

### "Coming Attractions" – Code Adoptions Planned for this Year

For those of you who have not heard, the State of New Jersey is planning to adopt the 2006 codes in the not-to-distant future. Planned for adoption are the following: the 2006 International Building Code (IBC/2006), the 2006 International Residential Code (IRC/2006), the 2006 International Fuel Gas Code, the 2006 International Mechanical Code, the 2006 International Energy Conservation Code (IECC/2006), and the 2006 National Standard Plumbing Code.

It is our goal to have these codes adopted in Calendar Year 2006. Please watch the *New Jersey Register* for the proposal in September. We look forward to your comments on this very important code adoption.

We are currently working with the International Code Council (ICC) to publish New Jersey editions of the IBC/2006, IRC/2006, and IECC/2006, which will be available through the ICC after the codes have been adopted.

In the meantime, please visit our web site at: http://www.nj.gov/dca/codes

for updates on the adoption of the 2006 codes and other useful tools. The web site will also provide the proposal and adoption dates.

Lastly, as with every new adoption of a model code, there will be a six-month "grace period" to allow for the finalization of projects designed under the previous model codes, as per *N.J.A.C.* 5:23-1.6.

Source: John N. Terry

Code Assistance Unit

(continued from page 5)

Construction Indicators Top New Jersey Municipalities					
Municipality	County	Estimated Cost of Construction (dollars)	Authorized Housing Units	Authorized Office Space (square feet)	Authorized Retail Space (square feet)
Jersey City	Hudson	\$707,459,081	3,776	438,879	0
Newark City	Essex	344,588,628	2,611	134,021	148,871
Atlantic City	Atlantic	308,275,936	116	3,012	2,800
Hoboken City	Hudson	173,736,936	443	0	0
Monroe Twp.	Middlesex	147,581,898	666	85,262	15,216
Paramus Boro.	Bergen	139,055,545	47	29,413	247,707
Franklin Twp.	Somerset	136,958,035	498	112,625	0
Jackson Twp.	Ocean	132,933,494	746	36,050	4,680
Ocean City	Cape May	130,712,287	539	0	36,723
Hamilton Twp.	Mercer	124,598,370	340	559,673	37,384
Englewood City	Bergen	122,208,506	685	37,768	16,964
Bernards Twp.	Somerset	118,004,475	23	2,836	0
Dover Twp.	Ocean	116,604,654	275	207,802	111,680
Warren Twp.	Somerset	115,556,601	30	6,883	22,915
South Brunswick Twp.	Middlesex	112,589,057	213	143,989	127,233
Top Municipalities		\$2,930,863,503	11,008	1,798,213	772,173
New Jersey		\$15,307,574,897	39,395	11,010,724	5,935,626
Top as % of New Jersey		19.1%	27.9%	16.3%	13.0%
Source: N.J. Department of Community Affairs, 5/8/06					

#### Correction: Accessible Parking Signs



In the Spring 2006 Construction Code Communicator, Volume 18, Number 1, the third paragraph of the "Accessible Parking Signs: Referenced Standard" article misstates the placement of the R7-8P sign. The paragraph should actually read as follows:

Lastly, each accessible parking space shall also be marked with a 12-inch high by 10-inch wide R7-8P penalty sign, with a black legend and border on a white background (dimensions and colors as per New Jersey Department of Transportation), beneath the R7-8 sign. The R7-8P sign shall contain the following language . . . .

We apologize for any inconvenience.

If you have any questions, please contact Rob Austin in the Code Assistance Unit at (609) 984-7609.

New House Prices					
Period	Number of New Houses	Median Sales Price	Percent Change in Sales Price		
1996	20,903	\$183,300			
1997	21,640	\$190,000	3.7%		
1998	23,884	\$209,980	10.5%		
1999	24,479	\$224,496	6.9%		
2000	25,058	\$231,728	3.2%		
2001	23,372	\$253,670	9.5%		
2002	23,647	\$274,705	8.3%		
2003	22,226	\$307,168	11.8%		
2004	23,844	\$349,900	13.9%		
2005	24,571	\$378,992	8.3%		
1st Quarter 2004	4,924	\$326,652			
2nd Quarter 2004	6,350	\$350,000	7.1%		
3rd Quarter 2004	6,219	\$350,539	0.2%		
4th Quarter 2004	6,351	\$365,000	4.1%		
1st Quarter 2005	5,205	\$367,900	0.8%		
2nd Quarter 2005	6,564	\$379,954	3.3%		
3rd Quarter 2005	6,207	\$378,554	-0.4%		
4th Quarter 2005	6,595	\$387,709	2.4%		

## Corrective Repair Procedures for Modular Buildings

**QUESTION:** What are the requirements for performing corrective repairs in modular buildings for which the manufacturer is responsible?

**RESPONSE:** This is covered in Part IV, Section 6(E) of the Uniform Administrative Procedures of the Industrialized Buildings Commission adopted at *N.J.A.C.* 5:23-4A.10 and *N.J.A.C.* 5:23-2.22. Following is a summary of the requirements:

#### CORRECTIVE REPAIR PROCEDURES

- 1. Code violation(s) and/or defect(s) are identified.
- 2. The step-by-step method of corrective repairs (design/specifications) is reviewed and approved by the evaluation (third-party) agency.
- 3. Necessary inspections are performed by the inspection (third-party) agency during and/or after completion of the corrective repairs.
- 4. The unit(s) is recertified (revalidated).

Because these are corrections to the labeled unit, the same entity responsible for ensuring compliance in the factory and affixing the label in the first place is responsible for the corrective work. Any repairs to the foundation or other site work under the jurisdiction of the local enforcing agency should be handled by the local enforcing agency.

If you have any questions, please contact me at (609) 984-7974.

Source: Paul Sachdeva, P.E.

Industrialized Buildings Unit Bureau of Code Services

### Discount on the 2006 National Standard Plumbing Codes

The New Jersey Chapter of the Plumbing-Heating-Cooling Contractors Association (PHCC-NJ) has extended to municipalities the "member" price for the new 2006 editions of the National Standard Plumbing Code, both the non-illustrated and illustrated versions. The 2006 edition is tentatively scheduled to be adopted in New Jersey by the end of 2006. (Visit our web site at <a href="http://www.nj.gov/dca/codes">http://www.nj.gov/dca/codes</a> for updates on the adoption of the 2006 codes.)

In order to receive the discount, a municipality must submit the request on official municipal letterhead and must include the inspector's name(s). The purchase order and/ or check should be made payable to "PHCC-NJ." Each

#### (continued from page 1)

approximately 45 percent (or 810,000) have a physical disability that requires the use of an accessible route, including an accessible building entrance. People with disabilities are more likely to be of low and moderate income than is the population generally, yet little of the housing built pursuant to the Fair Housing Act (commonly known as COAH housing) has been accessible. Traditional townhouses -- single-family attached dwellings, which are constructed in greater density than single-family detached homes -- became the most common design for affordable housing. Because townhouses are exempt from State and Federal accessibility requirements, there was little affordable housing being constructed that was accessible to people with disabilities. This meant that, for an entire segment of New Jersey's citizens who needed accessible affordable housing, options were few, even though requirements for accessible dwelling units in multifamily dwellings had been part of the UCC since the mid-1970s.

The Barrier Free-COAH law, which corrects this problem by requiring townhouse units that are counted toward a municipality's fair-share obligation under the New Jersey Fair Housing Act be adaptable for people with disabilities, creates an incentive for the first time to build accessible and affordable townhouses.

#### WHAT IS A TOWNHOUSE?

When determining whether a dwelling is a townhouse, the following definition, which may be found at N.J.A.C. 5:23-7.3(b)1i, is applied: "A townhouse shall be a single dwelling unit with two or more stories of dwelling space, exclusive of basement or attic, where each dwelling unit extends from foundation to roof. The dwelling unit shall have an independent entrance that shall serve one dwelling unit only at or near grade; most or all of the sleeping rooms shall be on one story; and most or all of the remaining habitable space, such as kitchen, living, and dining areas, shall be on another story." This describes the traditional, single-family townhouse, attached to other dwelling units on one or both sides. It does not include all the designs that have recently been called "townhouses." For example, it does not include one multistory dwelling unit stacked on top of another. Similarly, it does not include a multistory dwelling unit on top of a flat (a single-story dwelling unit). The traditional townhouse has been exempt from the Barrier Free Subcode since its inception and is the type of dwelling unit covered by the Barrier Free-COAH law. The other designs are multistory dwelling units and, as is clear in the Barrier Free Subcode [at N.J.A.C. 5:23-7.5(b)1 and (c)2] where there are four or more dwelling units in a single structure, they are - and have been required to be accessible.

#### ADAPTABLE ENTRANCE:

Townhouses for which COAH credit is sought may have an adaptable (rather than an accessible) entrance.

In order to ensure the entrances that are constructed to be adaptable can, in fact, be adapted when there is a need, a plan for an accessible entrance must be submitted as part of the permit application, and must be reviewed and approved by the local code enforcement agency. The means of making the entrance accessible can include the use of an accessible ramp, a platform lift, or a limited-use/limited-application elevator.

#### FUNDS TO ADAPT THE ENTRANCE:

In addition, in order to ensure that the planned adaptation can be made when needed, the builder must deposit in the Affordable Housing Trust Fund sufficient funds to adapt ten percent of the townhouse units for which COAH credit is sought that were not constructed with an accessible entrance. This fund is managed by the municipality. Residents must be informed that the entrance can be made accessible and that there is a fund managed by the municipality dedicated to that purpose.

#### **ENFORCEMENT:**

How will the Barrier Free/COAH law be enforced? The UCC permit application includes a check-off box that requires the permit applicant to indicate whether the housing planned for construction is low- and moderate-income housing. When that box is checked, the local code official will ask whether the housing is designated for COAH credit. When the answer is yes, the local code official will make that note in the file. When plans are submitted, they will be reviewed for the adaptability of the entrance and the interior space. Plan review and inspections will ensure that the townhouse meets the requirements of P.L. 2005, c. 350, which will become part of the Barrier Free Subcode. A proposal to amend the Barrier Free Subcode is planned for publication in the *New Jersey Register* before the end of this year.

#### PENALTY FOR NONCOMPLIANCE:

What is the penalty for noncompliance? If the townhouse for which COAH credit is sought is not constructed with a code-compliant, adaptable entrance and interior, the COAH credit will be withdrawn and any townhouses constructed without adaptability will be ordinary market-rate, single-family townhouses.

#### QUESTIONS:

If there are questions about the interaction of the Barrier Free and the COAH parts of this law, please contact Emily Templeton in the Division of Codes and Standards at (609) 984-7609, or Larissa DeGraw in COAH at (609) 292-3000. If there are questions about compliance with the requirements of the Barrier Free Subcode, please contact the Code Assistance Unit at (609) 984-7609.

(continued from page 7)

municipality may order up to four codebooks at the member price.

Please call PHCC-NJ at (609) 499-8070 for the member price, and shipping and handling charges.

Your order should be mailed to:

PHCC-NJ 1305 Maple Avenue Roebling, New Jersey 08554

Attention: Denise Voorhees, Executive Director

Should you have any questions, you may contact me at (609) 984-7609.

Thomas C. Pitcherello Source:

Code Assistance Unit

#### Domestic Water Heaters in Residential Garages





The Department of Community Affairs has received many questions pertaining to the application of the 18-inch elevation requirement to the installation of the new flammable-vapor-resistant type water heaters when a heater is replaced or a new water heater is installed in a residential garage. For the following reasons, the Department recommends that flammable-vapor-resistant listed water heaters be approved for installation in residential garages without the 18-inch elevation requirement.

When the water heater is located in a residential garage, the installation requirements must comply with Section G2408.2, Elevation of Ignition Source, of the 2000 International Residential Code (IRC). The water heater ignition source is to be elevated so that it is not less than 18 inches above the floor. The 2003 and 2006 editions of the IRC have added an exception to Section G2408.2 to address these new types of water heaters. The exception states: "Elevation of ignition source is not required for appliances that are listed as flammable vapor resistant and for installation without elevation." This exception is also listed in the New Jersey adopted 2003 International Fuel Gas Code (IFGC), which is used for nonresidential projects.

New Jersey did not and will not adopt the 2003 edition of the IRC. The 2006 edition of the IRC is proposed for adoption later this year. The adoption of the IRC/2006, which includes the exception, will eliminate this installation requirement issue.

In the meantime, refer to the third paragraph of the IRC/2000, Section G2401.1, Application, which states: "The omission from this chapter of any material or method of installation provided for in the International Fuel Gas Code shall not be construed as prohibiting the use of such material or method of installation." Because New Jersey has adopted the IFGC/2003, flammable-vapor-resistant listed water heaters should be permitted to be installed without the 18-inch elevation in residential garages.

Should you have any questions, you may contact me at (609) 984-7609.

Source: Thomas C. Pitcherello

Code Assistance Unit

#### **Fire Department Connections for Standpipes** and Fire Sprinklers -- How Many?

A question has been raised regarding the number of fire department connections (FDCs) required for a building protected by a fire sprinkler system and standpipe system having a common riser. Does each system require a separate FDC, or is a common FDC appropriate?

The answer is simple. One FDC is code compliant. The 2000 International Building Code, New Jersey edition, Section 906, Fire Department Connections, cites requirements for FDCs. Section 906.1, Required, requires a single FDC for all water fire-extinguishing and standpipe systems.

If that's not clear enough, Section 906.8, Signs, requires a sign to read "Automatic Sprinkler" or "Standpipe," or both, as applicable.

Clearly, one FDC supplying both fire sprinklers and standpipes from a common riser is code compliant.

Any questions, please contact me at (609) 984-7672.

Source: Gerry Grayce

Office of Regulatory Affairs

#### Energy – Wood vs. Metal Construction (ASHRAE Standard 90.1-1999)

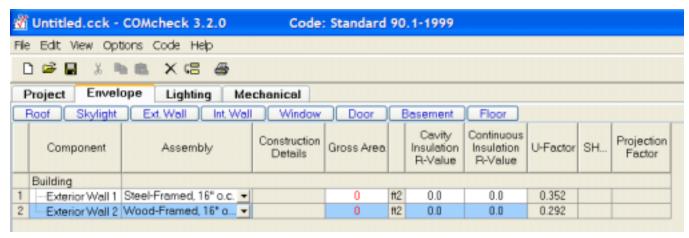


When incorporating wood or metal construction into an assembly of the building thermal envelope, keep in mind that these components function very differently in terms of thermal transmittance (U-factor). Take a look at Table B-13 of your American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-1999, or refer to your Winter 2005 Construction Code Communicator article, "ASHRAE Standard 90.1-1999: Energy Code Compliance." Under the "Nonresidential" column and at the "Walls, Above Grade" row, the following is listed:

	Nonresidential			
Opaque Elements	Assembly Maximum Insulation Minimum R-Value			
Walls, Above Grade				
Mass	U - 0.151*	R - 5.7 ci*		
Metal Building	U - 0.113	R - 13.0		
Steel Framed	U - 0.124	R - 13.0		
Wood Framed and Other	U - 0.089	R - 13.0		
*Exception to 5.3.1.2a applies.				

As you can see, metal-, steel-, and wood-constructed assemblies all require R-13 as the minimum insulation value. However, the assembly maximum U-factor is different due to the actual thermal transmittance value of the metal, steel, or wood combined with the insulation. This may look odd and, for those of you not using the COMcheck software, it can get confusing. If you are doing your energy calculations manually, consult Appendix A, Assembly U-Factor, C-Factor, and F-Factor Determination, which contains pre-calculated, typical construction assemblies. It also provides the means to calculate the U-Factor for specific assemblies. Because metal-/steel-framed walls do not perform as efficiently as wood-framed walls, when calculating the overall thermal transmittance value for a building, the framing chosen can dramatically help or hinder your energy code compliance.

Lastly, below is an example of how COMcheck automatically performs the calculations for the user based on construction type (in this case, steel-framed wall and wood-framed wall). On the right-hand side is the "U-Factor" column, which shows a 0.06 difference for calculation purposes between wall assemblies. This, in turn, affects the overall thermal transmittance value.



If you have any questions on this matter, please contact me at (609) 984-7609.

Rob Austin Source:

Code Assistance Unit

### Expedited Workable Relocation Assistance Plans

On May 1, 2006, the Department of Community Affairs adopted rules at *N.J.A.C.* 5:11-1 et seq. that establish a procedure for submitting Workable Relocation Assistance Plans (WRAPs) to the Department on an expedited basis when displacement of residential occupants by a municipality is sudden, could not have been anticipated, is of an emergency nature due to imminent hazard conditions, and is limited to a single occurrence. This will enable towns to expeditiously receive assistance with relocation.

The new expedited WRAP procedure, which includes a preliminary notice requesting the Department's consent to emergency displacement due to an imminent hazard condition and a simplified checklist intended to demonstrate that appropriate relocation assistance is being provided to displacees, provides added safeguards to ensure that relocation assistance is provided to individuals or families endangered by imminent hazard conditions that are entitled by law to receive relocation assistance. In addition, the procedure provides municipalities with clear direction on how to comply with the relocation assistance statutes and rules to expedite the relocation process. Finally, under the expedited process, a municipality can request funding over and above the 50 percent allowed under the normal WRAP process provided that funding cannot be obtained or recovered from any other source, such as from the owners of properties from which displacement occurred. If the funding request is approved, the Department reimburses eligible relocation expenses incurred by the municipality.

Expedited WRAPs are case specific and funds are not required to be set aside in advance.

For more information about the expedited WRAP procedure or about the Relocation Assistance Program in general, please call (609) 984-7609.

Source: Megan Sullivan Czyz

Code Development Unit

# Fire Sprinkler Hydrostatic Testing: Is the Test Always Required?

I have received numerous telephone calls over the years from both fire sprinkler contractors and fire protection inspectors asking for guidance regarding when a hydrostatic test is needed for a fire sprinkler system which has undergone modifications.

Acceptance testing requirements for a fire sprinkler system are referenced in the National Fire Protection Association's (NFPA's) Standard 13. In Section 10-2.2, Hydrostatic Tests, of the 1999 edition of NFPA 13, all piping and attached appurtenances are required to be hydrostatically tested at 200 psi without a loss of pressure or visible leakage. The standard also provides six exceptions, of which Exceptions 4 and 5 apply to the above question.

**EXCEPTION 4** – This exception requires additions or modifications made to an existing system, which affect more than 20 sprinklers, to be isolated and tested at not less than 200 psi for two hours.

**EXCEPTION 5** – This exception states that modifications which cannot be isolated, such as relocated drops, shall not require testing in excess of system working pressure.

Therefore, if a contractor has relocated drops on existing branch lines (regardless of how many), it is not necessary for this work to be hydrostatically tested. It only needs to be tested at the system working pressure.

If you have any questions, please contact me at (609) 984-7672.

Source: Gerry Grayce

Office of Regulatory Affairs

# Installing Fire Sprinklers Throughout Is Not Always *Throughout*

Various sections of Chapter 9 of the 2000 International Building Code (IBC), New Jersey edition require a building to be protected "throughout" with fire sprinklers. What does this really mean?

Some fire subcode officials believe throughout means *completely* throughout. It does not. It means in accordance with the code text in the IBC and the referenced National Fire Protection Association (NFPA) standards, NFPA 13 and 13R. Both the IBC and the standards provide exemptions for some areas, and are silent on other areas.

I recently received a telephone call from a sprinkler contractor saying a local official was requiring sprinklers in a noncombustible, concealed space between a suspended acoustical ceiling and the floor above. No excessive wiring was in this space. The official stated the code requires the building to be protected throughout; therefore, he believed this space needed protection. This

(continued from page 11)

is not correct because NFPA 13 does not require sprinklers in the space described above. In addition, IBC Section 903.3.1.1.1, Exempt Locations, provides five exemptions where sprinklers are not required in a building considered to be protected throughout.

Another example: NFPA 13, Sections 5-13.9.1 and 5-13.9.2 exempt sprinklers in dwelling unit bathrooms not exceeding 55 square feet with noncombustible or limited-combustible walls and ceilings, and in small closets less than 24 square feet and not exceeding 3 feet in the least dimension.

Throughout does have meaning in a mixed-use application. For example: A non-sprinklered Group B is located in a building also occupied by an R-2 and the appropriate fire separations are present. Code text requires a sprinkler system be provided throughout all buildings with an occupancy in Group R-2. Therefore, both the Group B and R-2 would be required to have sprinklers installed. The system is to be installed as required by the IBC and applicable NFPA standard.

So, you see, throughout doesn't always mean throughout. It means in accordance with the appropriate code or standard.

Any questions, please contact me at (609) 984-7672.

Source: Gerry Grayce

Office of Regulatory Affairs

#### Group Homes Are Not Therapeutic Residences

It has come to the Department of Community Affairs' attention that "group homes" are sometimes being classified as "therapeutic residences." The two should not be used interchangeably.

Section 310.2, Definitions, of the 2000 International Building Code (IBC), as amended by N.J.A.C. 5:23-3.15(b)4vii, defines a therapeutic residence as "a residence for adults, each of whom is capable of prompt evacuation (three minutes or less), and who live within a single dwelling unit for therapeutic purposes, without a resident landlord or operator, but with some government or private social service provider oversight." Section 310 of the IBC/2000, as amended by N.J.A.C. 5:23-3.14(b)3viii, classifies a therapeutic residence as Residential Group R-4 when there are more than five but not more than 16 occupants, excluding staff, capable of prompt evacuation.

The definition of therapeutic residence includes three criteria that must be met:

- (1) It is a residence for adults facilities housing children would not be classified as Residential Group R-4;
- (2) Each resident must be capable of prompt evacuation - this means evacuation within three minutes or less without staff assistance; and
- (3) The residence does not have a resident landlord or operator - homes with staff constantly present would not qualify.

In short, group homes serving children are not Residential Group R-4, group homes with residents incapable of prompt evacuation are not Residential Group R-4, and group homes with staff constantly present are not Residential Group R-4.

If you have any further questions on how to classify a particular facility, please contact the Code Assistance Unit at (609) 984-7609.

Source: Rob Austin

Code Assistance Unit

#### **Home Improvement Contractors' Registration Denial List**

The Division of Consumer Affairs has published a list of home improvement contractors whose applications for registration have been denied or withdrawn and who are therefore not eligible to receive permits to perform home improvement work in New Jersey. This list can be viewed at: http://www.njconsumeraffairs.gov/contractors/denial.htm.

It is ultimately the applicant's responsibility if false information is provided on the permit application and it is not the construction official's responsibility to check this list every time a permit application is submitted. However, this information is useful for the construction official to know.

If you have any questions on the Home Improvement Contractors' Registration program, please contact the Division of Consumer Affairs at 1-888-656-6225. If you have questions about this article, please contact me at (609) 984-7609.

Source: Denise L. Jones

Code Development Unit

#### Index to the 2005 Construction Code Communicator (Volume 17)

Article	Subcode	Issue	Page
24th Annual Building Safety Conference of New Jersey - 2005	All	2	1
Accessible Parking: Check Out the Closest Parking Space	Barrier Free	3	1
Air-Conditioning Disconnects	Electrical	2	2
ASHRAE Standard 90.1-1999: Energy Code Compliance	Energy	3	1
Attention: Code Instructors Wanted	All	1	8
Barrier Free Subcode: A Few Changes and A Clarification	Barrier Free	2	5
Breaker, Breaker — Problem with Solar PV System Installations	Electrical	1	15
Bulletins on the Web	All	3	2
Certification Presentation Highlights Restructuring of Camden Building Department	Administrative	1	12
Code Requirements for Office Partitions	Building	1	14
Combination Domestic/Fire Protection Service — Who Reviews, Inspects, and Approves?	Plumbing/Fire	1	18
Correction	Administrative	2	6
Defining Project Classification for Plan Review	Administrative	2	5
Do You Know Your NRTLs?	All	3	5
Drawings Based on Class	All	1	5
Drilling and Notching Wood Members: Who's Responsible?	Building/Electrical	2	6
Ducts: Can They Be Submarine Ducts?	Building/Mechanical	2	7
Employment Opportunities at Continuing Education Courses	All	1	6
Employment Opportunities for Code Officials	All	1	3
Energy REScheck and COMcheck Internet Links	Energy	2	7
Fenestration Area	Energy	3	6
Fire Sprinkler Flexible Piping Systems	Fire	2	6
Flexible Air Ducts and Flexible Air Connectors	Mechanical	2	8
Foundation Drains in Residential Crawl Spaces: Are They Needed?	Building	2	8
Garage Separations and Penetrations — International Residential Code/ 2000	Building	1	6
Gas Pipe Sizing Confusion	Plumbing/Mechanical	3	5
Glazing and COMcheck-EZ	Building/Mechanical	3	7
Gypsum Board Screws	Building	1	7
Handicapped Parking Fines Increased	Barrier Free	2	9
Here Come the Home Improvement Contractor Registration Requirements!!	All	3	6
Home Improvement Contractor Registration Deadline Looms Near	All	2	9
IRC Mechanical/Fuel Gas Requirements, Contents Inside	Mechanical	2	9
Index to the 2004 Construction Code Communicator (Volume 16)	All	1	8
Industrialized/Modular Buildings: Frequently Asked Questions	Building	3	9
Ladders, Lighting, and Time Clocks Oh, My!	Electrical	3	12
Licensing Update	Administrative	1	10
Location of Equipment Gas Shut-Off Valves	Mechanical	1	10
Moisture Vapor Retarder Installation and the Energy Subcode	Mechanical	3	10
Mortgagors, Mortgagees, and Unfinished Buildings	All	2	9
New Code Adoptions	All	1	11
New Fire Extinguisher Requirements and the UCC: How are They Enforced?	Fire	3	5
New Jersey Association of Technical Assistants Goes National	Administrative	2	10
New Jersey Register Adoptions - Spring	All	1	2
New Jersey Register Adoptions - Summer/Fall	All	2	10
New Jersey Register Adoptions - Winter	All	3	11
New Radon Hazard Areas in the State	Administrative	1	14
Non-Required Fire Protection Systems: How Much is Enough?	Fire	3	12
Occupant Intervention and ASHRAE Standard 90.1-1999	Electrical/Energy	3	11
·	<u> </u>		

(continued from page 13)

Article	Subcode	Issue	Page
Oh Where, Oh Where Does the Bond Wire Go?	Electrical	2	12
Parking Garages: Minimum Entrance Height	Barrier Free	3	12
PermitsNJ What Will It Require?	Administrative	1	4
PermitsNJ Will Its Use be Mandatory?	Administrative	1	11
PermitsNJ Will UCCARS Permit Records be Converted?	Administrative	1	3
Plan Review Authority for Residential Health Care Facilities	Administrative	2	12
Plumbing Fixture Count	Plumbing	1	14
Propane Counter Documents	Administrative	1	2
Public Alarms — Where They are Required	Building/Fire	1	13
Purple Wire Connectors	Electrical	2	12
Replacement Electrical Panels	Electrical	1	15
RES <i>check-Web</i> : Starting Point	Energy	3	13
Shop Drawing Revisited	Administrative	2	12
Slab-on-Grade Floors — Perimeter Insulation	Mechanical	1	16
Special Alert: Special Alerts to be Published in the DCA Document Library	All	3	13
Standard Forms Camera-Ready Art Now Supplied through the DCA	Administrative	3	13
Document Library	Electrical	2	13
Supporting Recessed Lighting Fixtures  The DCA Decument Library, Codes and Standards' Online Reference	All	2 3	_
The DCA Document Library: Codes and Standards' Online Reference Room	All	3	15
UL Classified Breakers	Electrical	1	17
Update on New COAH Rules	Administrative	1	17
Use Group Classification and Sprinkler Exceptions for Residential Buildings	Building/Fire	3	14
Visible Alarm Notification – IBC/2000 and ICC/ANSI A117.1-1998	All	3	16
What's Your Rating?	Electrical	1	1
Which Way Does It Go? The Emergency Lighting Branch Circuit	Electrical	2	13
Who's Checking?	Electrical/Barrier Free	1	1
Yesterday's and Today's Model Codes	All	1	18
Your Service and Stucco?	Electrical	2	13

#### Moisture-Vapor Retarder Requirements



The requirements for moisture-vapor retarders are located in two areas of the International Residential Code 2000. Section R322, Moisture-Vapor Retarders, contains the requirements for framed construction. Section R506.2.3, Vapor Retarder, addresses slab-on-grade construction. This section requires an approved vapor retarder with joints lapped not less than six inches to be placed between the concrete floor slab and the base course, or the prepared subgrade where no base course exists. Please visit these sections for further clarification. and exceptions.

If you have questions on this matter, you may contact me at (609) 984-7609.

Rob Austin Source:

Code Assistance Unit

#### **New Homebuilder Information Available Online**

Information on new homebuilders is now available online through the Department of Community Affairs' web site. Available information includes a database of registered new homebuilders and a database of warranty claims filed.

The database of registered new homebuilders includes the company's name, its New Jersey builder registration number, the name of the builder's warranty plan, and the status of the builder (i.e., if the builder's registration is revoked or suspended). This list of New Jersey builders can be accessed at:

http://www.nj.gov/dca/codes/newhome warranty/builder-list toc.shtml

Another useful tool available to you is the New Jersey New Home Builder Claim and Default Report for 2005. This report lists the number of formal warranty claims submitted by registered builders. The report includes, by

company, the number of new homes for which warranties were issued, the number of claims submitted by homeowners to the warranty company, and the number of cases where it was decided that the defect was the builder's responsibility and the builder did not correct the defect. Also listed for each company is a summary of total claims for all companies sharing the same principals. For the purposes of the report, a claim is a formal filing with the warranty company for the correction of defects in materials or workmanship, or a claim for a major structural defect. Items which a new homeowner reports to the builder that are promptly corrected are not included in this report. This report can be accessed at:

http://www.ni.gov/dca/codes/newhome\_warranty/pdf/claim\_report\_2006-05.pdf

Source: Denise L. Jones

Division of Codes and Standards

#### New Jersey Register Adoptions

Date: May 1, 2006 Adoption: 38 NJR 1824(a)

The adopted amendments at N.J.A.C. **Summary:** 5:23-2.14, 3.2, 3.14, and 5:70-2.7 shift the enforcement responsibilities from the construction official to the fire official for all tents other than those involving structural considerations. The amendments relocate the construction permitting requirements for these structures from the Building Subcode to the administrative requirements and move the temporary greenhouse requirements to the commercial farm building section. Additionally, the proposed amendments outline permitting requirements for tents, tensioned-membrane structures, and outdoor mazes.

Date: May 1, 2006 38 NJR 1827(a) Adoption:

**Summary:** The adopted amendments at N.J.A.C. 5:23-3.16(a)2.i reference the codes and standards referenced in the Fine Print Notes of the Electrical Subcode (National Electrical Code 2005). Additionally, the amendment updates Bulletin No. 05-2 to 06-2.

Date: June 5, 2006 38 NJR 2418(a) Adoption:

This adoption at N.J.A.C. 5:23-4.21 Summary: amends the rule concerning private on-site inspection agency authorization and reauthorization fees to reduce the percentage of gross revenue from construction code enforcement that is required to be paid to the Department of Community Affairs from five to two percent. This fee reduction is retroactive to November 1, 2005.

Denise L. Jones Source:

Code Development Unit

#### Nonmetallic-Sheathed Cable and Garages



QUESTION: Is a 15-minute finish rating required with the installation of nonmetallic-sheathed cable in a one- or two-family dwelling garage?

BACKGROUND REFERENCES: Section 334.10, Uses Permitted, and Article 100, Definitions, specifically "Dwelling Unit," "Dwelling, One-Family," "Dwelling, Two-Family," and "Garage" of the National Electrical Code (NEC) 2005.

**Answer:** The dwelling unit definitions in NEC/2005 do not define a "garage" or a similar space as part of the dwelling. Because an attached or detached garage is defined as a building or portion thereof, it is considered an "other structure" as per Section 334.10. Therefore, garages require cables to be concealed within walls, floors, and ceilings that provide a thermal barrier of material that has a minimum 15-minute finish rating.

If you have any further questions, you may contact me at (609) 984-7609.

Source: Suzanne Borek

Code Assistance Unit

#### Private Residence Elevators



There have been some questions regarding the installation of private residence elevators. In the American Society of Mechanical Engineers (ASME) 17.1 code, the Safety Code for Elevators and Escalators, under Part V, entitled Private Residence Elevators, the scope of work states: "This Part applies to elevators installed in or at a private residence. This Part also applies to similar elevators installed in buildings as a means of access to private residences within such buildings provided the elevators are so installed that they are not accessible to the general public or other occupants in the building."

The scope of the code is clearly for elevators that serve a single dwelling unit. The use of one private residence elevator is not acceptable for two-family homes where it serves both units. One elevator must be installed for each unit in a two-family home. This applies regardless of whether the dwelling units are located side by side or one on top of another. The building subcode official of the town must check this on his building review.

If there are any questions, please call the Elevator Safety Unit at (609) 984-7833.

Alfred Zipf and Ed Donovan Source:

**Elevator Safety Unit** 

#### **Prohibited: Urea-Formaldehyde Foam** Insulation 🚰 🕋

All officials should know that urea-formaldehyde foam insulation is on the list of products violating the code (N.J.A.C. 5:23-3.8) and therefore prohibited in the State of New Jersey.

It has come to the Department of Community Affairs' attention that urea-formaldehyde foam insulation is beginning to be used in buildings being constructed in New Jersey. Some builders are submitting ureaformaldehyde foam insulation to the architect or construction manager as an "or-equal" substitute for a code-compliant product that has already been specified as the insulation inserts for block walls. Thus, the ureaformaldehyde foam insulation is installed before the code official knows it has been used.

Code officials need to be aware of this developing practice and enforce the prohibition of this product.

If you have any questions regarding this issue, contact me at (609) 984-7609.

Source: Jeffrey Applegate

Code Assistance Unit

#### Radon and Crawl Spaces



N.J.A.C. 5:23-10.4, Construction Techniques, specifies the minimum radon protection features required in Group E (educational) and Group R (residential) buildings located in Tier One municipalities. The requirements for radon venting for basements and slabon-grade construction seem clear; however, questions do arise about crawl spaces.

If you take a close look at Section 10.4, you will see that crawl spaces are only referenced in Construction Techniques 1, 6, 9, 10, and 15. Essentially, these techniques require crawl spaces to be provided with continuous vapor barriers, and all adjacent spaces are to be sealed and taped to prevent radon gas entry. The techniques listed do not require a vent stack pipe unless there is a combination basement/crawl space or slab-ongrade/crawl space as stated in Technique 15.

The reason for the above is that Section R408.1, Ventilation, of the International Residential Code (IRC) 2000 requires "under-floor space between the bottom of the floor joists and the earth under any building (except space occupied by a basement or cellar) to be provided with ventilation openings through the foundation walls or exterior walls." Because these areas should already be ventilated, there is no need for a radon stack vent. The exceptions to this case are as follows:

- CRAWL SPACE THAT COMMUNICATES WITH A BASEMENT: Here, the exceptions from IRC/2000, Section R408.2, Openings for Under-Floor Ventilation, allow the openings to be eliminated so that, for example, the space could be mechanically ventilated or conditioned.
- CRAWL SPACE NEXT TO SLAB ON GRADE: A stack vent(s) should be installed under the slab-grade portion only because the crawl space should be ventilated as per R408.1 of IRC/2000.

Keep in mind, every building is different. Typically, crawl spaces do not require radon stack vents. The other construction techniques of Section 10.4 could be required. depending on the building's design.

Note: Compliance with the construction techniques in Section 10.4 is not fully required for additions. In such cases, those construction techniques that are feasible should be incorporated into the design.

If you have any questions on this matter, please contact me at (609) 984-7609.

Source: Rob Austin

Code Assistance Unit

#### Residential Basement Insulation



When applying N.J.A.C. 5:23-3.18(b)1ii, the basement wall insulation exception, Sections 502.2.3 and 502.2.6 of the Council of American Building Officials Model Energy Code (MEC) 1995 should be consulted to explain why no insulation is required for the basement wall or basement floor/ceiling assembly. Here's the explanation:

When completing a residential building thermal envelope, Section 502.2.3 of MEC/1995 requires floors over unheated spaces to be insulated. Examples of this are ventilated crawl spaces and unconditioned basements. However, a design professional may choose not to insulate the floor above the basement. If this is the case, Section 502.2.6 of MEC/1995 requires basement walls to be insulated to complete the thermal envelope. The reason for this is in Section 502.2.6, which states that walls of basements below UN-INSULATED floors shall be insulated. When applying the exception from N.J.A.C. 5:23-3.18(b)1ii, ALL heating equipment installed must be rated high-efficiency [90 percent annual fuel utilization

efficiency (AFUE) for furnaces, 85 percent AFUE for boilers, and 8.0 heating seasonal performance factor (HSPF) for an air-source heat pump] and then the basement wall insulation can be eliminated.

Please visit my Summer/Fall 2003 Construction Code Communicator article, "Energy Code – Residential Basement Wall Insulation Trade-Off," for this application, in conjunction with the REScheck software. Additional guidance for basement wall insulation in walk-out basements can be found in the article below: "Walk-Out' Basements and High-Efficiency Heating Equipment."

If you have any questions on this issue, you may reach me at (609) 984-7609.

Source: Rob Austin

Code Assistance Unit

# "Walk-Out" Basements and High-Efficiency Heating Equipment

As per *N.J.A.C.* 5:23-3.18(b)1ii, residential buildings provided with high-efficiency equipment throughout [90 percent annual fuel utilization efficiency (AFUE) for furnaces, 85 percent AFUE for boilers, and an 8.0 heating seasonal performance factor (HSPF) for airsource heat pumps] shall be exempt from the requirement to insulate basement walls. However, it has come to our attention that, in the case of "walk-out" basements, this exemption is not always applied correctly.

When you have high-efficiency equipment and a walk-out basement, you should consult the definition of "Gross Area of Exterior Walls" from the 1995 Council of American Building Officials Model Energy Code. Here it states, "For each basement wall with an average belowgrade area less than 50 percent of total basement wall area, including openings, the entire wall, including the below-grade portion, is included as part of the gross area of exterior walls."

Therefore, if a basement wall meets the criteria defined in Gross Area of Exterior Walls, insulation is required because the basement wall exemption of *N.J.A.C.* 5:23-3.18(b)1ii no longer applies.

For additional guidance regarding basement wall insulation and exceptions, refer to the article "Residential Basement Insulation" in this issue of the *Construction Code Communicator*.

If you have any questions on this matter, please contact me at (609) 984-7609.

Source: Rob Austin

Code Assistance Unit

### Warning: Automatic Fire Sprinklers Bearing Counterfeit UL Mark

Underwriters Laboratories, Inc. (UL) has issued a notice regarding chrome-plated automatic fire sprinklers that bear a counterfeit UL mark for the United States and Canada. Although marked with the word "Globe," these sprinklers are not manufactured by Globe Fire Sprinkler Corporation and have not been evaluated for safety by UL.

Identifying descriptions and marks for this particular fire sprinkler are as follows:

Model of Product: GL 5651

Date of Manufacture: 2005 to present

**IDENTIFICATION:** Pendent-type automatic fire sprinkler

MARKING ON FRAME: "GLOBE"

MARKINGS ON THE DEFLECTOR: "SSP," "cULus" in a circle, "GL 5651, 2005," and "155°F/68°C"

Sprinklers with the counterfeit UL mark are manufactured with a slot-head screw and a Job F5 glass bulb. UL-listed sprinklers manufactured by Globe Fire Sprinkler Corporation contain a hex-head screw and a Job G5 glass bulb.

If you come across sprinklers with the counterfeit UL mark, UL recommends that the sprinklers be replaced by qualified service personnel and returned to the place of purchase. Code enforcement officials should not allow these sprinklers to be utilized.

To view a picture of this sprinkler, go to:
<a href="http://www.ul.com/media/newsrel/nr071406.html">http://www.ul.com/media/newsrel/nr071406.html</a>
For additional information, contact Joe Hirschmugl at UL in Illinois by telephone at 1-847-664-1508 or by e-mail at Joseph.F.Hirschmugl@us.ul.com.

Source: John Terry

Division of Codes and Standards

### CELEBRATION — 25 YEARS New Jersey Building Safety Conference

What a conference we had! The 25<sup>th</sup> Annual New Jersey Building Safety Conference was the event of the year! The seminars and the instructors were top shelf! The food was outstanding and the entertainment received rave reviews. The word most used on the opinion poll was "excellent;" thus, a job well done. What more could we ask for? The service from Bally's staff was the best yet. We will see them next year when we return for the 2007 conference on May 2-4.

Our focus was clear. This conference is our opportunity to highlight the importance of safe buildings, recognize the professionals responsible for making and keeping buildings safe, and provide training of the highest caliber. We did it this year in the grandest of styles!

A Proclamation from our Governor, Jon S. Corzine, publicly recognized and commended all local and State construction code enforcement officials and their support staff for their commitment, dedication, and untiring efforts in ensuring the health, safety, and welfare of every citizen of this State.

The award recipients of the 2006 Building Safety Conference are:

**Joseph Albanese**, **Jr.** – Plumbing Inspector of the Year Wayne Township, Prospect Park Borough, and Wanaque Borough

**Anthony Saccomanno** – Building Inspector of the Year Cherry Hill Township and Berlin Borough

Richard M. Marshall – Electrical Inspector of the Year

**John J. Drucker, Jr.** – Fire Protection Inspector of the Year Red Bank Borough and Little Silver Borough

Judith Russo – Technical Assistant of the Year Montvale Borough

Congratulations to all!

Source: Susan H. McLaughlin

Supervisor, Education Unit Bureau of Code Services

# NOTES





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